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SEP 26 2007	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

SEALED

STEVEN W. MYHRE
Acting United States Attorney
JAMES E. KELLER
Assistant United States Attorney
100 W. Liberty Street, Suite 600
Reno, NV 89501
Phone (775) 784-5438
Fax (775) 784-5181

FILED ENTERED	RECEIVED SERVED ON COUNSEL/PARTIES OF RECORD
SEP 26 2007	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	BY DEPUTY _____

FILED
SEP 26 2007
U.S. MAGISTRATE JUDGE
DISTRICT OF NEVADA
DEPUTY

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

IN THE MATTER OF
THE EXTRADITION OF
Wilbur James VENTLING,
also known as John James STEWART,

) 3:07-mj-0068-VPC
) MISC VPC
)

) **COMPLAINT FOR PROVISIONAL ARREST
WARRANT WITH A VIEW TOWARDS
EXTRADITION (18 U.S.C. § 3184)**

) **UNDER SEAL**
)

I, the undersigned Assistant United States Attorney, being duly sworn, state on information and belief that the following is true and correct:

1. There is an Extradition Treaty, as amended by Protocols, in force between the United States and Canada, 27 UST 983, TIAS 8237;

2. The Treaty provides in Article 11 for the provisional arrest and detention of alleged fugitives pending the submission of a formal request and supporting documents;

3. In accordance with Article 11 of the Treaty, the Government of Canada has asked the United States for the provisional arrest of Wilbur James VENTLING, also known as John James STEWART, with a view toward extradition;

4. According to the Information provided by the requesting state in the form authorized by the Treaty, VENTLING is charged with one count of Rape, in violation of section 144 of the Criminal Code of Canada, and one count of Causing Bodily Harm with Intent to Wound, in violation of section 228 of the Criminal Code of Canada, all committed within the jurisdiction of Vernon, British

1 Columbia, Canada, and a warrant for his arrest was issued on June 5, 2007, by a Justice of the Peace
2 in and for the Province of British Columbia (both attached hereto as Exhibit 1);

3 5. The warrant was issued on the basis of the following facts:

4 The Royal Canadian Mounted Police (RCMP) in Vernon, British Columbia, Canada, has
5 been investigating a complaint of a sexual assault on a nine year old female on May 27, 1979, in
6 the City of Vernon, British Columbia, Canada. An outline of the reported alleged incident follows
7 (the information below is from the Canadian police reports prepared by the investigating officers,
8 and statements given by the witnesses):

9 On May 27, 1979, Tavin Christine SOMERSET, who was nine years old, was lured by a
10 male (who was a stranger to her) to a wooded area in Vernon, B.C. The male sexually assaulted
11 SOMERSET by forcing vaginal intercourse. SOMERSET sustained serious vaginal injuries as a
12 result of the sexual assault. The male fled the scene.

13 A suspect by the name of John James STEWART was identified as a suspect in a series of
14 seven similar assaults in the Calgary, Alberta area. Around this same time there were two similar
15 offences in Enderby and Kamloops, British Columbia. Thus, there were a total of 10 offences that
16 are believed to have been committed by STEWART between July 1, 1978 and July 16, 1979,
17 involving females between the age of 5 and 13.

18 On September 8, 1979, STEWART was arrested in Taber, Alberta, in relation to the
19 Calgary investigation. He was found to have several different identifications on him. His
20 fingerprints were taken and he was remanded for a psychiatric examination. On September 18,
21 1979, STEWART escaped from the psychiatric facility he was being held at in Alberta and fled to
22 the United States of America.

23 The fingerprints obtained from "STEWART" showed that STEWART was actually Wilbur
24 James VENTLING. VENTLING was, at the time, unlawfully at large following an escape from a
25 psychiatric hospital in Colorado on May 9, 1978. VENTLING had, at the time, a criminal record
26

1 for burglary, robbery, crime against children, kidnapping, rape, sexual assault on a child, menacing
2 and assault.

3 On October 23, 1979, VENTLING was arrested in Las Vegas on charges of kidnaping,
4 lewdness with a minor under 14 years and attempt sexual assault. On February 11, 1980,
5 VENTLING pleaded guilty to two counts of lewdness with a minor and one count of attempted
6 sexual assault. He was sentenced to 40 years at the Carson City State Penitentiary. VENTLING
7 successfully appealed one of the sentences and was subsequently released in September of 1997.

8 VENTLING is currently classified a registered sex offender in Nevada.

9 On March 11, 2003, Constable (Cst.) JOHNSTON of the Vernon RCMP General
10 Investigation Section forwarded several exhibits to the forensic laboratory for examination to
11 attempt to obtain a DNA profile of the offender. Specifically, Cst. JOHNSTON forwarded the
12 blouse and slacks that were seized from SOMERSET when she attended the hospital after the
13 assault (item A and B), a vaginal swab from the victim's vagina taken by Dr. SPILLER during the
14 medical exam following the assault (item E), the victim's wool sweater which was recovered at the
15 scene (Item G), and two samples of blood soaked grass from the scene (Items L and M).

16 Howard KALYN of the Biology Section of the RCMP Forensic Laboratory prepared a
17 report dated June 28, 2004, pertaining to his examination of the exhibits from Vernon RCMP file
18 1979-7377 (which is the file number for the investigation into the sexual assault of SOMERSET).
19 This report stated in summary the following:

- 20 a. Exhibit Items A (blouse), B (slacks), E (vaginal swab and blood clot), G (red
21 sweater), L (grass and leaf) and M (grass) were examined in order to generate DNA
22 typing profiles.
- 23 b. Blood from exhibit Item E (vaginal swab and blood clot) was taken to be the known
24 sample of Tavin SOMERSET.
- 25
26

- 1 c. The DNA typing profiles obtained from the inside left arm of Exhibit Item G (red
2 sweater) and L (grass and leaf) match that of the profile obtained from the known
3 sample of SOMERSET (from Exhibit Item E).
- 4 d. The DNA typing profiles obtained from the inside crotch of Exhibit Item B (slacks)
5 and the outside front and inside front of Exhibit Item G (red sweater) are of mixed
6 origin consistent with having originated from two individuals. The male
7 components of the DNA typing profiles obtained from these exhibits match one
8 another and are consistent with having originated from an unknown male
9 individual. This profile has been personally designated as Male 1. The estimated
10 probability of selecting an unrelated individual at random from the Canadian
11 Caucasian population with the same profile is 1 in 42 billion. The female
12 components of the DNA typing profiles obtained from these exhibits match the
13 DNA profile obtained from the known sample of SOMERSET (from exhibit Item
14 E). The estimated probability of selecting an unrelated individual at random from
15 the Canadian Caucasian population with the same profile is 1 in 170 trillion.
- 16 e. The DNA typing profiles obtained from the outside of side two of Exhibit Item A
17 (blouse) are of mixed origin consistent with having originated from two
18 individuals. The male components of the DNA typing profiles obtained from these
19 exhibits match the Male 1 DNA profile. The estimated probability of selecting an
20 unrelated individual at random from the Canadian Caucasian population with the
21 same profile is 1 in 42 billion.

22 On January 19, 2005, Christine CROSSMAN of the RCMP Forensic Laboratory forwarded
23 to Interpol a request for a DNA profile search pertaining to the DNA profile of Male 1 from
24 Exhibit Item B of Vernon RCMP file 1979-7377 (which is the file number for the investigation
25 into the sexual assault of SOMERSET).
26

Jeffrey RIOLO, a Senior Criminalist with the Washoe County Sheriff's Office Forensic Science Division, reported on February 7, 2005, a keyboard search of the State of Nevada DNA Database showed a match between the DNA profile from the RCMP Sample # 1979-7377/Ex.B (Male 1) and Nevada convicted offender Wilbur VENTLING who has a date of birth of December 10, 1944. Mr. Riolo further states an evidentiary sample of DNA from Wilbur Ventling will be required to confirm the match.

Wilbur James VENTLING, also known as John James STEWART, is described as a male, with brown eyes and brown hair. He was born on December 10, 1944, in Los Angeles, California. He stands approximately 182 cm tall, and weighs approximately 95 kg. The requesting country provided a copy of an arrest photograph of VENTLING and his fingerprints, both attached hereto as Exhibit 2, with the extradition materials.

6. The requesting country has indicated that there are urgent circumstances that warrant VENTLING's provisional arrest. Specifically, VENTLING is currently classed as a Tier Level 2 Convicted Sexual Offender by the Nevada Department of Public Safety. The definition of Tier Level 2 is a convicted sex offender who is assessed as posing a probable risk of recidivism and threat to public safety. In addition to the alias "John James STEWART", VENTLING's criminal record indicates that his alias names include: Dennis Arkman, Wilburn Hamilton, and Wilbur James Schwope. VENTLING's criminal record includes the following related offenses:

- Crimes Against Children (1971, Norwalk, California)
- Kidnaping (1973, Denver, Colorado)
- Rape, 2nd degree kidnapping, sexual assault on a child and menacing (1974, Pueblo, Colorado)
- Kidnaping and Sexual Assault (1977, Colorado Springs, Colorado)
- Two counts 2nd degree kidnaping, two counts lewdness with a minor, attempted sexual assault, (1979, Las Vegas, Nevada)

Given VENTLING's past history escaping from the Colorado and Calgary psychiatric

1 facilities and fleeing Canada to evade prosecution on these charges, it is reasonable to expect he
2 will flee when he knows a DNA sample has been taken from him for evidentiary purposes for
3 these charges (the Canadians have made this request separately). Further, VENTLING has a
4 history of using aliases and false identities which would make locating him difficult.

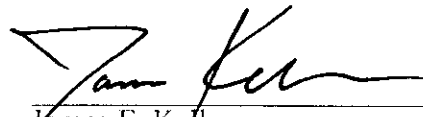
5 7. The offenses with which Wilbur James VENTLING, also known as John James
6 STEWART, is charged are provided for in Article 2 of the Extradition Treaty, as amended by the
7 Protocols, cited above, and are reflected in the Information by Indictment attached hereto as
8 Exhibit I;

9 8. Wilbur James VENTLING, also known as John James STEWART may be found within
10 the jurisdiction of this court, specifically, 4708 August Drive, Carson City, Nevada;

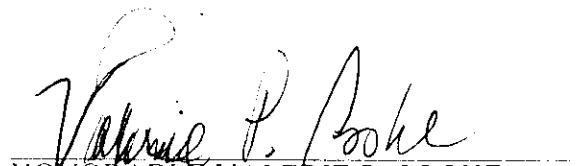
11 9. The requesting state has represented that it will submit a formal request for extradition,
12 supported by the documents specified in the Treaty, within 60 days, as required by Article 11 of
13 the Extradition Treaty, as amended by the Protocols.

14 WHEREFORE, the undersigned complainant requests that a warrant for the arrest of the
15 aforementioned person be issued in accordance with Title 18, United States Code, Section 3184, and
16 the Extradition Treaty between the United States and Canada, as amended by its Protocols.

17 DATED this 26th day of September, 2007.

18
19
20 
21 James E. Keller
Assistant United States Attorney

22 Sworn to before me and subscribed in my presence this 26th day of September, 2007 at
23 Reno, Nevada.

24
25 
26 HONORABLE VALERIE P. COOKE
UNITED STATES MAGISTRATE JUDGE

KELOWNA CROWN COUNSEL Fax: 250-470-6820

Sep 7 2007 11:51

P.03


 FORM NO. 1 (REV. 1999)
 POL. 004-1
 REV. 004-1

INFORMATION/DENONCIATION

CANADA:

 PROVINCE OF BRITISH COLUMBIA
 PROVINCE DE LA COLOMBIE-BRITANNIQUE

Page 1 of 1

"BY INDICTMENT"

Court Identifier: 4971 - P - R - A	
Court File Number: 33836	
Type Reference: C	
Info. Seq. Number: 3	
Agency File Number: 119:79-7377	
DNA Primary: <input checked="" type="checkbox"/>	DNA Secondary: <input type="checkbox"/>
K File: <input type="checkbox"/>	
SOR: <input checked="" type="checkbox"/>	

This is the information of / Les presentes constituent la denonciation de Constable K. Cyr 48242, a Peace Officer (the "informant" / le "denonciateur") of / de Vernon, British Columbia.

The informant says that the informant has reasonable and probable grounds to believe and does believe that / Le denonciateur declare qu'il a des motifs raisonnables et probables et croit effectivement que

Count 1

Wilbur James VENTLING aka John James STEWART, on or about the 27th day of May, 1979, at Vernon, in the Province of British Columbia, did have sexual intercourse with Tavin Christine SOMERSET, a female person not his wife, without her consent, and thereby did commit the offence of rape, contrary to Section 144 of the Criminal Code.

Count 2


Wilbur James VENTLING aka John James STEWART, on or about the 27th day of May, 1979, at Vernon, in the Province of British Columbia, with the intent to wound Tavin Christine SOMERSET, did cause bodily harm to Tavin Christine SOMERSET, contrary to Section 228 of the Criminal Code.

SWORN BEFORE ME / ASSERMENTE DEVANT MOI

ON / CE 5th DAY OF / JOUR DEJune, 2007

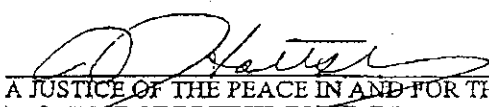
AT / A Vernon,

BRITISH COLUMBIA / COLOMBIE-BRITANNIQUE


 A JUSTICE OF THE PEACE IN AND FOR THE
 PROVINCE OF BRITISH COLUMBIA
 JUGE DE PAIX DANS ET POUR LA PROVINCE DE
 LA COLOMBIE-BRITANNIQUE


 (SIGNATURE OF INFORMANT)
 (SIGNATURE DU DENONCIATEUR)

Warrant to issue - unpaid
 PROCESS CONFIRMED / ACTE DE PROCEDURE
 CONFIRME


 A JUSTICE OF THE PEACE IN AND FOR THE
 PROVINCE OF BRITISH COLUMBIA
 JUGE DE PAIX DANS ET POUR LA PROVINCE DE
 LA COLOMBIE-BRITANNIQUE

KELOWNA CROWN COUNSEL Fax: 250-470-6820

Sep 7 2007 11:51

P. 02

Warrant for Arrest

In the Provincial Court

Canada: Province of British Columbia

Ban - none

Police File No.
119:79-7377Court File No.
4971:33836-3-C

Primary Enf. Agency:

D.O.B.: December 10, 1944

To the peace officers in the Province of British Columbia

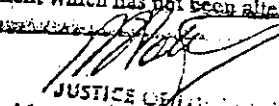
Whereas Wilbur James Ventling
of N.N.C.C. (Prison), Carson City, Nevada, USA

(the "accused") has been charged with the following offence(s):

Count 1, on or about May 27, 1979, at or near Vernon, BC, did commit an offence of rape, contrary to section 144 Criminal Code.

Count 2, on or about May 27, 1979, at or near Vernon, BC, did commit an offence of cause bodily harm w/intent to wound/maim/disfigure, contrary to section 228(a) Criminal Code.

See a total of 2 Charges

This photocopy is a true copy of the original
document which has not been altered in any
way.
JUSTICE OF THE PEACE B. HOLSKOG
(in and for the Province of British Columbia)

And whereas:

there are reasonable and probable grounds to believe that it is necessary in the public interest to issue this warrant for the arrest of the accused

You are commanded, in Her Majesty's name, forthwith to arrest the accused and to bring him/her before any Justice/Judge in and for the Province of British Columbia to be dealt with according to law.

Dated / Fait le June 5, 2007

at / à Vernon

British Columbia / Colombie-Britannique


A Justice of the Peace in and for the Province of British Columbia / Un Juge de paix
dans et pour la province de la Colombie-Britannique**Endorsement of Warrant**

CANADA: Province of British Columbia - Form 29 (Section 507) Whereas this warrant is issued under section 507, 508 or 512 of the Criminal Code in respect of an offence other than an offence mentioned in section 522 of the Criminal Code, I hereby authorize the release of the accused pursuant to section 499 of that Act.

Dated

at

British Columbia

A Justice of the Peace in and for the Province of British Columbia

Warrant Cancelled (Return to Registry)

by

Person contacted

by phone at

Date

Reason

☐ Bail reinstated**Warrant Executed (Return to Registry and attach original bail document if applicable)**

by

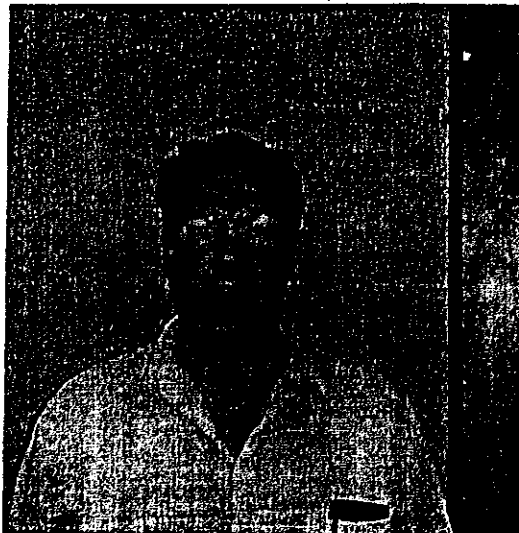
Date

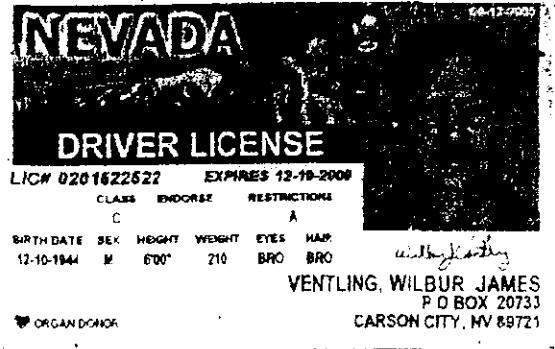
PCR 014
Form 7
01/05

bn10:31-05.06.2007

Original: Police - Copies: Accused, File

(CC) Warrant for Arrest (adult)





Sex Offender Registration

Carson City Sheriff's Office, Carson City, Nevada
Ken Furlong, Sheriff

Name: VENTLING, WILBUR JAMES

Hm Add: 1324 GREEN DR.

Wrk Add: 1324 GREEN DR.

Carson City, Nevada

MNI: 00678 D.O.B. 12-10-1944

Hair Color: BRO Eye Color: BRO

Hgt. 6-00 Wgt. 210 Issued: 03-06-2006



LEAVE BLANK		CRIMINAL		(STAPLE HERE)		LEAVE BLANK	
STATE USAGE		HY SECOND		APPROXIMATE CLASS		AMPUTATION	
03062006		VENTLING, WILBUR J		SOCIAL SECURITY NO		517466640	
SIGNATURE OF PERSON FINGERPRINTED		LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX		LEAVE BLANK			
ALIASES/MAIDEN		LAST NAME, FIRST NAME, MIDDLE NAME, SUFFIX					
FBI NO.	STATE IDENTIFICATION NO.	DATE OF BIRTH	MM DD YY	SEX	RACE	HEIGHT	WEIGHT
		12	10	1944	M	W	600
							210
							BRO
							BRO
1. THUMB	2. INDEX	3. R. MIDDLE	4. R. RING	5. R. PINKY	6. R. THUMB	7. L. INDEX	8. L. MIDDLE
9. L. RING	10. L. PINKY	11. L. THUMB	12. L. INDEX	13. L. MIDDLE	14. L. RING	15. L. PINKY	16. L. THUMB
DB 50X50G8 1133S5 #ccstp2 23:15:02				5701LD #ccs1x2 20060306-23:22			
LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY				RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY			

5-10-06

I hereby certify that this is a true and exact copy of the original document contained in the official records of the Office of the Sheriff-Coroner of the City & County of Carson City, Nevada.

Not For Further Dissemination

Signature

Title

**FEDERAL BUREAU OF INVESTIGATION, UNITED STATES DEPARTMENT OF JUSTICE
WASHINGTON, D.C. 20537**

PRIVACY ACT OF 1974 (PL 93-579) REQUIRES THAT FEDERAL, STATE, OR LOCAL AGENCIES INFORM INDIVIDUALS WHOSE SOCIAL SECURITY NUMBER IS REQUESTED WHETHER SUCH DISCLOSURE IS MANDATORY OR VOLUNTARY, BASIS OF AUTHORITY FOR SUCH SOLICITATION, AND USES WHICH WILL BE MADE OF IT

JUVENILE FINGERPRINT		DATE OF ARREST		ORI NV0130000		NV0130000	
SUBMISSION		MM DD YY		CONTRIBUTOR		SO SO	
YES <input checked="" type="checkbox"/>		03062006		ADDRESS		CARSON CITY, NV	
TREAT AS ADULT		YES		REPLY DESIRED		YES <input type="checkbox"/>	
SEND COPY TO (ENTER ONE)		DATE OF OFFENSE		PLACE OF BIRTH (STATE OR COUNTRY)		COUNTRY OF CITIZENSHIP	
		MM DD YY		LOS ANGELES CA		US	
DISTANCE NUMBER		SCARS, MARKS, TATTOOS, AND AMPUTATIONS					

PRESENT COMPLETE ADDRESS		CITY	
1324 GREEN DR		CARSON CITY	
LOCAL IDENTIFICATION NUMBER		NV	
NAME OR NUMBER		YES <input checked="" type="checkbox"/>	
Marie Morgan		YES <input checked="" type="checkbox"/>	
9440			

SELF EMPLOYED
1324 GREEN DR
HAIRSTYLIST, LEATHERCRAFT, EBA

09041F SEX OFFENDER/CRIMES AGAINST CHILDREN REGISTRATION 1
09607F SEX OFFENDER/CRIMES AGAINST CHILD REG OUT OF STAT 1

ADDITIONAL

ADDITIONAL

ADDITIONAL INFORMATION BASIS FOR ACTION

STATE BUREAU STAMP

FD-243 (Rev. 12-1-99)

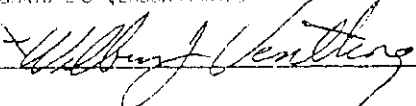
U.S. GPO: 1996-406-915/20051

8-10-06

I hereby certify that this document is a true and exact copy of the original document contained in the official records of the Office of the Sheriff-Coroner of the City & County of Carson City, Nevada.

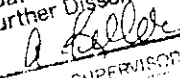
Not For Further Dissemination

Signature [Signature]
Title RECORDS SUPERVISOR

SIGNATURE OF PERSON PRINTED 	ADDRESS
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8-10-06
I hereby certify that this document is a true
and exact copy of the original document
contained in the official records of the Office
of the Sheriff-Coroner of the City & County of
Carson City, Nevada.
Not For Further Dissemination

Signature 
Title _____
RECORDS SUPERVISOR

NAME (Last, First, Middle)	CASE NO.	PRINTS TAKEN BY:
SIGNATURE OF PERSON PRINTED <i>Wilbur Venting</i>	SOCIAL SECURITY NUMBER	DATE
<input checked="" type="checkbox"/> Right Handed <input type="checkbox"/> Left Handed		



PALM PRINT CARD

8-10-06

I hereby certify that this document is a true and exact copy of the original document contained in the official records of the Office of the Sheriff-Coroner of the City & County of Carson City, Nevada.

Not For Further Dissemination

Signature *A. Keller*
 Title RECORDS SUPERVISOR